

UNITED STATES PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Patent Interference No. 105,397 (RT)

GILBARCO INC.  
(6,766,949; 6,789,733; and 6,685,089)  
Junior Party,

v.

IPXL HOLDINGS, LLC  
(10/459,540)  
Senior Party.

REDECLARATION - Bd.R. 203(b)

By TORCZON, Administrative Patent Judge.

1       A.   Redeclaration of interference

2       An interference is redeclared pursuant to 35 U.S.C. 135(a). Details of the  
3 application, patents, count, and claims designated as corresponding to the count  
4 appear under headings E and F of this REDECLARATION.

5       B.   Designation to manage

6       Administrative Patent Judge Richard Torczon remains designated to manage  
7 the interference. Bd. R. 104(a).

8       C.   [Omitted]

1 D. [Omitted]

2 E. The parties to this interference

3 Junior Party

4 Patent 1: 6,766,949, issued 27 July 2004 (10/073,612)

5 Title: Cash back during dispenser transaction

6 Inventors: Steven N. Terranova and John S. McSpadden, both of Greensboro,  
7 North Carolina

8 Patent 2: 6,789,733, issued 14 September 2004 (10/446,031)

9 Title: Remote banking during fueling

10 Inventors: Steven N. Terranova and John S. McSpadden, both of Greensboro,  
11 North Carolina

12 Patent 3: 6,685,089, issued 3 February 2004 (09/779,822)

13 Title: Remote banking during fueling

14 Inventors: Steven N. Terranova and John S. McSpadden, both of Greensboro,  
15 North Carolina

Senior Party

Application: 10/459/540, filed 12 June 2003

Title: Electronic fund transfer or transaction system

Inventor: James G. Gatto of Great Falls, Virginia

F. Count and claims of the parties

Count 1

The system of 6,766,949 claim 6 (as corrected).

The claims of the parties are:

Gilbarco Inc.: 949: 1-24

733: 1-29

089: 1-34

IPXL Holdings: 19-32

The claims corresponding to Count 1:

Gilbarco Inc.: 949: all

733: 1, 2, 4, 7, 15-17, and 26-29

089: 1, 2, 4, 6, 12-14, 23-26, and 28-33

IPXL Holdings: all

1 The benefit accorded for Count 1:

2 Gilbarco Inc.:<sup>1</sup> 09/280,316, filed 29 March 1999.

3 IPXL Holdings: 10/237,933, filed 10 September 2002;

4 09/922,935, filed 7 August 2001;

5 09/658,622, filed 8 September 2000;

6 08/670,599, filed 26 June 1996; and

7 08/421,486, 13 April 1995.

8 G. Heading to be used on papers

9 Addendum 1 provides the heading that shall be used on all papers filed in

10 the contested case. See SO ¶ 106.1.1.

cc:

For Gilbarco Inc.: Steven N. Terranova and John R. Witcher, WITHROW &  
TERRANOVA, P.L.L.C., of Cary, North Carolina.

For IPXL Holdings, LLC: James G. Gatto and Bradford C. Blaise, PILLSBURY  
WINTHROP SHAW PITTMAN LLP, of McLean, Virginia.

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<sup>1</sup> Benefit is accorded for a count, not claims. The accorded benefit date for the 316 application remains the best date to which Gilbarco appears to be entitled.

**ADDENDUM 1**

Filed on behalf of: [Name of Party]

Paper No. [Leave blank]

By: [Name of lead counsel  
Name of backup counsel  
Street address  
City, State, and ZIP Code  
Tel:  
Fax: ]

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**TITLE OF PAPER**